

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-SECOND DAY — TUESDAY, APRIL 1, 1997

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 76).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Elkins; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Rodriguez; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Eiland; Farrar; Smith.

Absent — Pickett.

The invocation was offered by Dan Daniels, pastor, Community Church of the Nazarene, San Antonio.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Smith on motion of Keffer.

Farrar on motion of R. Lewis.

The following member was granted leave of absence for today because of important business in the district:

Eiland on motion of R. Lewis.

(Pickett now present)

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2).

CAPITOL PHYSICIAN

The speaker recognized Representative Kubiak who presented Dr. Henry Boehm of Brenham as the "Doctor for the Day."

The house welcomed Dr. Boehm and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 26).

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Hinojosa on motion of Hawley.

HR 503 - ADOPTED (by Seaman and Merritt)

Representative Seaman moved to suspend all necessary rules to take up and consider at this time **HR 503**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 503, Honoring Terry Labonte and commemorating the inaugural racing events at Texas Motor Speedway.

HR 503 was read and was adopted without objection.

On motion of Representative Merritt, the names of all the members of the house were added to **HR 503** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representatives Seaman and Merritt, who introduced Terry Labonte, winner of the 1996 Winston Cup Championship, driver of the #5 Kellogg's Chevrolet Monte Carlo, his wife Kim, Bruton Smith, executive officer of Texas Motor Speedway, Ron Haddock, CEO of FINA, and Randy LaJoie, winner of the Busch Grand National Championship, driver of the BACE Motorsports #74 FINA Chevrolet Monte Carlo.

Messrs. LaJoie, Labonte, and Smith each addressed the house briefly.

HR 495 - ADOPTED (by Palmer)

Representative Palmer moved to suspend all necessary rules to take up and consider at this time **HR 495**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 495, Commending Randy LaJoie, BACE Motorsports, and FINA, Incorporated.

HR 495 was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Palmer, who introduced Bill Baumgardner, owner of the BACE Motorsports #74 FINA Chevrolet Monte Carlo, and Eddie Gossage, general manager of the Texas Motor Speedway.

HCR 181 - ADOPTED (by D. Jones and Isett)

Representative Isett moved to suspend all necessary rules to take up and consider at this time **HCR 181**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 181, Designating April 1, 1997, as Lubbock Day at the State Capitol.

HCR 181 was read and was adopted without objection.

On motion of Representative D. Jones, the names of all the members of the house were added to **HCR 181** as signers thereof.

HR 338 - ADOPTED (by Woolley)

Representative Woolley moved to suspend all necessary rules to take up and consider at this time **HR 338**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 338, In memory of Susan E. Wolf.

HR 338 was read and was unanimously adopted by a rising vote.

HR 499 - ADOPTED (by Wohlgemuth)

Representative Wohlgemuth moved to suspend all necessary rules to take up and consider at this time **HR 499**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 499, Honoring Corey Rosenbusch, the national president of FFA.

HR 499 was read and was adopted without objection.

On motion of Representative Stiles, the names of all the members of the house were added to **HR 499** as signers thereof.

INTRODUCTION OF GUEST

The speaker recognized Representative Wohlgemuth, who introduced Corey Rosenbusch.

Mr. Rosenbusch addressed the house briefly.

HR 505 - ADOPTED
(by Laney)

Representative Wohlgemuth moved to suspend all necessary rules to take up and consider at this time **HR 505**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 505, Honoring Johnnie Mosley, current national president of Future Homemakers of America/Home Economics Related Occupations.

HR 505 was read and was adopted without objection.

On motion of Representative Stiles, the names of all the members of the house were added to **HR 505** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Wohlgemuth, who introduced Johnnie Mosley and the Speaker introduced Beth Cochran, the first vice-president of FHA.

Mr. Mosley addressed the house briefly.

HR 497 - ADOPTED
(by Keffer)

Representative Keffer moved to suspend all necessary rules to take up and consider at this time **HR 497**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 497, Honoring Neuman Smith for his community service.

HR 497 was adopted without objection.

HR 507 - ADOPTED
(by Allen)

Representative Allen moved to suspend all necessary rules to take up and consider at this time **HR 507**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 507, Congratulating Smith & Warder, Inc., on the firm's 50th anniversary.

HR 507 was adopted without objection.

(Speaker pro tempore in the chair)

HR 506 - ADOPTED
(by Price)

Representative Price moved to suspend all necessary rules to take up and consider at this time **HR 506**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HR 506, In memory of Zachary Charles Breaux.

HR 506 was unanimously adopted by a rising vote.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 506** as signers thereof.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

**PROVIDING FOR A LOCAL, CONSENT,
AND RESOLUTIONS CALENDAR**

Representative Rodriguez moved to set a local, consent, and resolutions calendar for 10 a.m. Thursday, April 3.

The motion prevailed without objection.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative Edwards moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 3.

The motion prevailed without objection.

(Speaker in the chair)

HR 338 - NAMES ADDED

On motion of Representative Uher, the names of all the members of the house were added to **HR 338** as signers thereof.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

**CSHB 1429 ON SECOND READING
(by Stiles)**

CSHB 1429, A bill to be entitled An Act relating to the standards of conduct for former directors, officers, and employees of a nonprofit corporation under contract to invest the permanent university fund or certain other university funds and to the corporation's dealings with a former director, officer, or employee; providing a penalty.

CSHB 1429 was read second time on March 24 and was postponed until 10 a.m. today.

Representative Stiles moved to postpone consideration of **CSHB 1429** until 10 a.m. Tuesday, April 8.

The motion prevailed without objection.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 3 ON SECOND READING
(by Berlanga, Cuellar, Delisi, Glaze, Coleman, et al.)**

CSHB 3, A bill to be entitled An Act relating to establishing the Texas Healthy Kids Corporation to increase access to health care for children.

Amendment No. 1

Representatives Berlanga and Corte offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 2, between lines 15 and 16, insert the following:

(d) In the first fiscal year for which the fund does not receive a direct state appropriation of state money, the comptroller, at the request of the board, shall transfer the balance of the fund to one or more depositories selected by the board as depositories for the corporation. On the date a transfer is made under this subsection, the fund is abolished.

(2) On page 3, strike lines 16-27 and substitute the following:

Sec. 109.032. BOARD OF DIRECTORS; PRESIDING OFFICER. (a) The corporation shall operate subject to the general supervision of a board of directors. The board of directors and the presiding officer of the board of directors are selected as provided by the articles of incorporation and bylaws of the corporation, in accordance with the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes). If required by the bylaws of the corporation, the board of directors may also include the following voting ex officio members:

(1) the commissioner of health and human services or a person designated by the commissioner;

(2) the commissioner of insurance or a person designated by the commissioner; and

(3) the director of the Title IV-D agency, or a person designated by the director.

(b) A member of the board may not serve more than two terms, without regard to whether the terms are consecutive.

(c) A person is not eligible to serve on the board if the person or the person's spouse is employed by, represents in any capacity, owns, or controls any ownership interest in a business or organization:

(1) that may obtain a pecuniary or other favorable interest in the course of a business activity with the corporation; or

(2) from whom the corporation receives funds.

(d) A person is not eligible to serve on the board if the person is or has been an adverse party in litigation against the board or corporation.

(3) On page 2, line 16, between "REPORT." and "Not", insert "(a)".

(4) On page 2, line 19, between "insurance." and "The", insert "(b)".

(5) On page 2, between lines 23 and 24, insert the following:

(c) The reporting requirement under this section only applies during a period in which:

(1) the corporation receives state money under a direct state appropriation; or

(2) a person appointed by the governor, other than an ex officio member of the board, is serving as a member of the board.

(6) On page 4, strike lines 1-27.

(7) On page 5, strike lines 1-5.

(8) On page 7, line 5, between "109.064" and the period, insert "during a period in which:

(1) the corporation receives state money under a direct state appropriation; or

(2) a person appointed by the governor, other than an ex officio member of the board, is serving as a member of the board".

(9) On page 7, line 21, between "AUDITOR." and "The", insert "(a)".

(10) On page 7, line 23, between "Code" and the period, insert "only during a period in which:

(1) the corporation receives state money under a direct state appropriation; or

(2) a person appointed by the governor, other than an ex officio member of the board, is serving as a member of the board".

(11) On page 7, line 23, between the period and "The", insert "(b)".

(12) On page 11, strike lines 7-11 and substitute "Government Code, applies only during a period in which:

(1) the corporation receives state money under a direct state appropriation; or

(2) a person appointed by the governor, other than an ex officio member of the board, is serving as a member of the board."

(13) On page 23, strike lines 1-7 and substitute the following:

SECTION 4. (a) Notwithstanding Section 109.032, Health and Safety Code, as added by this Act, the initial board of directors of the Texas Healthy Kids Corporation appointed under this section shall be composed of:

(1) six members appointed by the governor with the advice and consent of the senate;

(2) the commissioner of health and human services or the commissioner's designee, who serves as a voting ex officio member;

(3) the commissioner of insurance or the commissioner's designee, who serves as a voting ex officio member; and

(4) the director of the Title IV-D agency, or the director's designee, who serves as a voting ex officio member.

(b) The governor shall appoint the members of the board of directors appointed under Subsection (a)(1) of this section as soon as practical after the effective date of this Act. The terms of those members expire on September 1, 1999.

(c) On expiration of the terms of the initial appointed members of the board, the governor shall appoint four members for terms expiring September 1, 2001, and two of the formerly appointed positions shall be filled as provided by the articles and bylaws of the corporation.

(d) On expiration of the terms of the four members appointed under Subsection (c), the governor shall appoint two members to serve terms expiring September 1, 2003. The two other positions of the formerly appointed members shall be filled as provided by the articles and bylaws of the corporation.

(e) After September 1, 2003, all members of the board of directors shall be selected as provided by Section 109.032, Health and Safety Code, as added by this Act.

(f) A person is not eligible for appointment by the governor to the board of directors under this section if the person does not satisfy the requirements of Section 109.032, Health and Safety Code, as added by this Act.

(g) The members of the board shall annually elect a member to serve as the presiding officer of the board.

(h) Members of the board of directors appointed by the governor serving under this section serve without compensation, but are entitled to reimbursement of their travel expenses as provided for in the General Appropriations Act for state board or commission members. Money appropriated to the Texas Department of Insurance, the Health and Human Services Commission, or the Title IV-D agency may be spent, consistent with the General Appropriations Act, in connection with the work or expenses of the ex officio members of the initial board of directors.

(i) This section expires September 1, 2003.

Amendment No. 2

Representative Kubiak offered the following amendment to Amendment No. 1:

Amend the Berlanga/Corte amendment to **CSHB 3** as follows:

1) On page 2 of the amendment, between lines 15 and 16, insert the following:

(3) On page 6, line 5, between the words "The" and "board" insert "initial".

2) Renumber subsequent sections.

Amendment No. 2 was adopted without objection.

Amendment No. 1, as amended, was adopted without objection. (Keel recorded voting yes)

Amendment No. 3

Representatives Berlanga, Chisum, Janek, and Williams offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 3, line 2 between "CORPORATION" and the period, insert ", PURPOSE".

(2) On page 3, between lines 7 and 8, insert the following:

(b) The primary purpose of the corporation is to provide health benefits for primary and preventive health care for children.

(3) On page 3, line 8, strike "(b)" and substitute "(c)".

(4) On page 3, line 10, strike "(c)" and substitute "(d)".

(5) On page 8, line 12, between "develop" and "the design", insert ", in".

accordance with the purpose of the corporation established under Section 109.031(b)."

Amendment No. 3 was adopted without objection. (Keel recorded voting yes)

Amendment No. 4

Representatives Berlanga, Chisum, Janek, and Williams offered the following amendment to **CSHB 3**:

Amend **CSHB 3** on page 8 by striking lines 9-11 and substituting the following:

"(C) are not covered by insurance or another type of health benefit plan that provides benefits for primary and preventive care;".

Amendment No. 4 was adopted without objection. (Keel recorded voting yes)

Amendment No. 5

Representatives Berlanga, Chisum, Janek, and Williams offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 7, line 9, between "agency," and "and", insert "the board of directors of the risk pool established under Article 3.77, Insurance Code,".

(2) On page 7, between lines 20 and 21, insert the following:

(c) The corporation shall work with the board of directors of the risk pool established under Article 3.77, Insurance Code, as necessary to implement Section 109.067.

(3) On page 13, between lines 19 and 20, insert the following:

Sec. 109.067. AVAILABILITY OF RISK POOL COVERAGE. The corporation shall notify the parent, managing conservator, or guardian of a child who applies for coverage through the program of the availability of coverage from the risk pool established under Article 3.77, Insurance Code.

(4) On page 13, line 20, strike "109.067" and substitute "109.068".

Amendment No. 5 was adopted without objection. (Keel recorded voting yes)

Amendment No. 6

Representatives Berlanga, Janek, Chisum, and Williams offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 10, line 10, strike "may" and substitute "shall".

(2) On page 10, line 12, strike "may" and substitute "shall".

Amendment No. 6 was adopted without objection. (Keel recorded voting yes)

Amendment No. 7

Representative Berlanga offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 13, between lines 19 and 20, insert the following:

Sec.109.067. PROGRAM NOT AN ENTITLEMENT. This chapter does not establish an entitlement to health benefits provided through the corporation or any other entitlement.

(2) On page 13, line 20, strike "109.067" and substitute "109.068".

Amendment No. 7 was adopted without objection.

Amendment No. 8

Representatives Berlanga, Maxey, and Giddings offered the following amendment to **CSHB 3**:

Amend **CSHB 3** on page 21 by striking lines 17-20 and substituting the following:

A requirement that a nonprofit hospital provide charity care and community benefits under this subsection may be satisfied by a donation of money to the Texas Healthy Kids Corporation established by Chapter 109, Health and Safety Code, provided that:

(1) the money is donated to be used for a purpose described by Section 109.033(c), Health and Safety Code; and

(2) not more than 10 percent of the charity care required under any provision of this subsection may be satisfied by the donation.

Amendment No. 8 was adopted without objection.

Amendment No. 9

Representatives Chisum, Janek, Williams and Berlanga offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 22, following line 27, add a new SECTION 4 to the bill to read as follows:

SECTION 4. The Insurance Code is amended by adding Chapter 27 to read as follows:

CHAPTER 27. HEALTH BENEFIT PLANS FOR CHILDREN

Art. 27.01. DEFINITION. In this chapter, "health benefit plan" means a health benefit plan described by Article 27.02 of this code.

Art. 27.02. SCOPE OF CHAPTER. This chapter applies to a health benefit plan that:

(1) provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including:

(A) an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage that is offered by:

(i) an insurance company;

(ii) a group hospital service corporation operating under Chapter 20 of this code;

(iii) a fraternal benefit society operating under Chapter 10 of this code;

(iv) a stipulated premium insurance company operating under Chapter 22 of this code; or

(v) a health maintenance organization operating under the Texas Health Maintenance Organization Act (Chapter 20A, Vernon's Texas Insurance Code); or

(B) to the extent permitted by the Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.), a health benefit plan that is offered by:

(i) a multiple employer welfare arrangement as defined by Section 3, Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1002) or another analogous benefit arrangement; or

(ii) any other entity not licensed under this code or another insurance law of this state that contracts directly for health care services on a risk sharing basis, including an entity that contracts for health care services on a capitation basis; or

(2) is offered by an approved nonprofit health corporation that is certified under Section 5.01(a), Medical Practice Act (Article 4495b, Vernon's Texas Civil Statutes), and that holds a certificate of authority issued by the commissioner under Article 21.52F of this code.

Art. 27.03. CHILDREN'S HEALTH BENEFIT PLAN. (a) The issuer of a health benefit plan may offer a children's health benefit plan in accordance with this chapter. The health benefit plan may provide coverage only to children younger than 18 years of age.

(b) An issuer of a health benefit plan may not offer a children's health benefit plan under this chapter unless the plan's structure and the benefits offered under the plan have been approved by the commissioner.

Art. 27.04. MANDATED BENEFIT PROVISIONS INAPPLICABLE. A children's health benefit plan is not subject to a law that requires coverage or the offer of coverage of a health care service or benefit.

Art. 27.05. EXEMPTION FROM PREMIUM TAX. The issuer of a children's health benefit plan is not subject to the premium tax imposed by Article 4.11 of this code or the tax on revenues imposed under Section 33, Texas Health Maintenance Organization Act (Section 20A.33, Vernon's Texas Insurance Code), with respect to money received for coverage provided under that plan.

Art. 27.06. RULES. The commissioner may adopt rules to implement this chapter.

(2) In the transition material of the bill, add a section, appropriately numbered, to read as follows:

SECTION _____. The issuer of a health benefit plan may not offer a children's health benefit plan under Chapter 27, Insurance Code, as added by this Act, before January 1, 1998.

(3) Renumber sections of the bill appropriately.

Amendment No. 9 was adopted without objection. (Keel recorded voting yes)

Amendment No. 10

Representative Howard offered the following amendment to **CSHB 3**:

Amend **CSHB 3** as follows:

(1) On page 2, line 9, after the period, insert "State appropriated money in the account may not be used to pay any part of a premium, co-payment, deductible, or coinsurance amount for a child covered under the program."

(2) On page 16, line 11, after the period, insert "State appropriated money in the account may not be used to pay any part of a premium, co-payment, deductible, or coinsurance amount for a child covered under the program."

Representative Berlanga moved to table Amendment No. 10.

The motion to table was withdrawn.

Amendment No. 10 was withdrawn.

Amendment No. 11

Representative Howard offered the following amendment to **CSHB 3**:

Amend **CSHB 3** on page 12, between lines 2 and 3, by inserting the following:

(d) The participation criteria for authorized insurers, health service organizations, health maintenance organizations, and other entities that provide coverage under the health benefit program may not require that an eligible coverage provider provide benefits for services rendered in a particular location or in a particular manner.

Amendment No. 12

Representative Berlanga offered the following amendment to Amendment No. 11:

Amend the Howard amendment to **CSHB 3** by striking out lines 7 and 8 and inserting the following:

"benefits in a school-based clinic."

Amendment No. 12 was adopted without objection.

Amendment No. 11, as amended, was adopted without objection.

Amendment No. 13

Representative Howard offered the following amendment to **CSHB 3**:

Amend **CSHB 3** on page 12, between lines 17 and 18, by inserting the following:

(c) Written consent to the release of confidential information under Subsection (b) of this section must state the specific purpose for which the information is being released and the person to whom the information may be released. The corporation must obtain a separate statement of written consent to the release of confidential information on each occasion on which the corporation releases the information.

Representative Berlanga moved to table Amendment No. 13.

The motion to table prevailed.

A record vote was requested.

CSHB 3, as amended, was passed to engrossment by (Record 77): 115 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Craddick; Cuellar; Danburg; Davila; Davis; Delisi; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Finnell; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Haggerty; Hamric; Hawley; Hernandez; Hightower; Hilbert; Hilderbran; Hirschi; Hochberg; Hodge; Holzheuser; Hunter; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McReynolds; Merritt; Moreno; Mowery; Naishtat; Oakley; Oliveira; Olivo; Patterson; Pickett; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Rodriguez; Sadler; Seaman; Serna; Siebert; Smithee; Solis; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Wilson; Wise; Wolens; Woolley; Yarbrough; Zbrank.

Nays — Crabb; Culberson; Denny; Galloway; Grusendorf; Hartnett; Heflin; Hill; Horn; Howard; Hupp; Isett; Jackson; Kuempel; Marchant; Moffat; Nixon; Palmer; Pitts; Rabuck; Reyna, E.; Roman; Shields; Solomons; Talton; Williamson; Wohlgemuth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Farrar; Hinojosa; Smith.

Absent — Elkins; Gutierrez; McClendon.

STATEMENTS OF VOTE

When Record No. 77 was taken, I was in the house but away from my desk. I would have voted yes.

Gutierrez

I was shown voting no on Record No. 77. I intended to vote yes.

Kuempel

When Record No. 77 was taken, my vote failed to register. I would have voted yes.

McClendon

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

CSHB 475 ON SECOND READING
(by Craddick)

CSHB 475, A bill to be entitled An Act relating to the effect of certain types of divorce decrees on retirement benefits payable by the Teacher Retirement System of Texas.

CSHB 475 was passed to engrossment.

(Speaker pro tempore in the chair)

HB 977 ON SECOND READING
(by Brimer)

HB 977, A bill to be entitled An Act relating to the use of safety chains with certain trailers, semitrailers, and house trailers.

HB 977 was passed to engrossment.

HB 1149 ON SECOND READING
(by S. Turner)

HB 1149, A bill to be entitled An Act relating to formation of certain professional associations.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Berlanga, Representative S. Turner offered the following committee amendment to **HB 1149**:

Please amend **HB 1149** as follows:

On page 1, line 17, insert:

new section (3) When doctors of medicine, osteopathy and podiatry form an association that is jointly owned by those practitioners, the authority of each of the practitioners is limited by the scope of practice of the respective practitioners and none can exercise control over the other's clinical authority granted by their respective licenses, either through agreements by-laws, directives, financial incentives or other arrangements which would assert control over treatment decisions made by the practitioner. The State Board of Medical Examiners and the State Board of Podiatric Medical Examiners continue to exercise regulatory authority over their respective licenses.

Amendment No. 1 was adopted without objection.

HB 1149, as amended, was passed to engrossment.

CSHB 1077 ON SECOND READING
(by Telford)

CSHB 1077, A bill to be entitled An Act relating to the powers and duties of and the continuation of the Texas Public Finance Authority.

Amendment No. 1

Representative Corte offered the following amendment to **CSHB 1077**:

Amend **CSHB 1077** as follows:

(1) On page 6, line 15, after the word "state" strike "guidelines" and substitute "laws, rules and regulations".

(2) On page 6, line 18, after the word "state" strike "guidelines" and substitute "laws, rules and regulations".

Representative Telford moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 78): 78 Yeas, 64 Nays, 2 Present, not voting.

Yeas — Alexander; Alvarado; Bailey; Berlanga; Bosse; Brimer; Burnam; Chavez; Coleman; Counts; Cuellar; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Gutierrez; Haggerty; Hawley; Hernandez; Hightower; Hirschi; Hochberg; Hodge; Jones, J.; Junell; King; Lewis, G.; Lewis, R.; Longoria; Luna; Marchant; Maxey; McClendon; McReynolds; Moreno; Naishtat; Oakley; Oliveira; Olivo; Patterson; Pickett; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Rodriguez; Sadler; Serna; Solis; Stiles; Telford; Thompson; Tillery; Torres; Turner, S.; Van de Putte; Williamson; Wilson; Wise; Wolens; Yarbrough; Zbranek.

Nays — Allen; Averitt; Bonnen; Carter; Chisum; Christian; Clark; Cook; Corte; Crabb; Craddick; Culberson; Delisi; Denny; Driver; Finnell; Galloway; Grusendorf; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Kamel; Keel; Keffer; Krusee; Kubiak; Kuempel; Madden; McCall; Merritt; Moffat; Mowery; Nixon; Palmer; Pitts; Rabuck; Reyna, E.; Roman; Seaman; Shields; Siebert; Smithee; Solomons; Staples; Swinford; Talton; Turner, B.; Walker; West; Williams; Wohlgemuth; Woolley.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Eiland; Farrar; Hinojosa; Smith.

Absent — Danburg; Elkins.

CSHB 1077 was passed to engrossment. (Kubiak and Talton recorded voting no)

(Speaker in the chair)

CSHB 350 ON SECOND READING (by Pitts, et al.)

CSHB 350, A bill to be entitled An Act relating to the issuance of a motorcycle driver's license and the wearing of protective headgear by certain motorcycle operators and passengers.

Representative Pitts moved to postpone consideration of **CSHB 350** until 10 a.m. Tuesday, April 8.

The motion prevailed without objection.

HB 1916 ON SECOND READING (by Goodman, et al.)

HB 1916, A bill to be entitled An Act relating to county criminal courts in Tarrant County.

Amendment No. 1 (Committee Amendment No. 1)

Representative Hartnett offered the following committee amendment to **HB 1916**:

Amend **HB 1916** on page 2, line 9, by inserting "5," between "Nos." and "7".

Representative Goodman moved to table Amendment No. 1.

The motion to table prevailed.

Amendment No. 2

Representative Goodman offered the following amendment to **HB 1916**:

Amend **HB 1916** by striking page 1, line 24 and page 2, lines 1 - 12, and substituting the following:

(a) A county criminal court in Tarrant County has jurisdiction over all criminal matters and causes, original and appellate, prescribed by law for county courts, but does not have civil jurisdiction. The County Criminal Courts Nos. 3, 4, 5, and 6 of Tarrant County also have concurrent jurisdiction within the county of all appeals from criminal convictions under the laws of this state and the municipal ordinances of the municipalities located in Tarrant County that are appealed from the justice courts and municipal courts in the county. The County Criminal Courts Nos. 5, 7, 8, 9, and 10 of Tarrant County also have concurrent jurisdiction with the district court in felony cases to conduct arraignments, conduct pretrial hearings, and accept guilty pleas.

Amendment No. 2 was adopted without objection.

HB 1916, as amended, was passed to engrossment.

HB 35 ON SECOND READING
(by Goolsby, et al.)

HB 35, A bill to be entitled An Act relating to a voluntary code of fair campaign practices.

Amendment No. 1

Representative Howard offered the following amendment to **HB 35**:

Amend **HB 35** on page 2, line 16 by inserting after the word record and before the period the words "and stated positions on issues".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hodge offered the following amendment to **HB 35**:

Amend **HB 35**

Amend Page 3, Line 4 as follows:

expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.

Amend Page 3, Line 7 as follows:

process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Bailey offered the following amendment to **HB 35**:

Amend **HB 35** on page 3, between lines 12 and 13, by inserting the following:

(8) I will abide by the following limits on political contributions and political expenditures:

(A) I will not accept political contributions from persons, other than general-purpose committees, that in the aggregate exceed for each election in which I am involved:

(i) \$5,000, for a statewide office;

(ii) \$3,000, for the office of state senator; or

(iii) \$2,000, for the office of state representative;

(B) I will not accept political contributions from members of the same family that in the aggregate exceed for each election in which I am involved:

(i) \$10,000, for a statewide office;

(ii) \$6,000, for the office of state senator; or

(iii) \$4,000, for the office of state representative;

(C) I will not accept political contributions from a general-purpose political committee that, when aggregated with each other political contribution accepted from a general-purpose committee, exceed 25 percent of the total political expenditures I may make or authorize in connection with an election under Paragraph (E);

(D) I will not reimburse my personal funds with political contributions in connection with an election in excess of:

(i) \$25,000, for the office of state senator; or

(ii) \$15,000, for the office of state representative;

and

(E) I will not make or authorize political expenditures that exceed:

(i) for the office of governor, \$10 million for a general primary election or general election or \$6 million for a runoff primary election;

(ii) for a statewide office other than governor, \$2 million for a general primary election or general election or \$1.2 million for a runoff primary election;

(iii) for the office of state senator, \$350,000 for a general primary election, general election, or special election or \$215,000 for a runoff primary election or runoff special election; or

(iv) for the office of state representative, \$100,000 for a general primary election, general election, or special election or \$70,000 for a runoff primary election or runoff special election.

Amendment No. 3 was withdrawn.

HB 35, as amended, was passed to engrossment.

CSHB 260 ON SECOND READING
(by Pickett, et al.)

CSHB 260, A bill to be entitled An Act relating to certain offenses involving criminal mischief and graffiti; providing penalties.

Amendment No. 1

Representative Keel offered the following amendment to **CSHB 260**:

Amend **CSHB 260** on page 1 as follows:

(1) On line 10, strike "or".

(2) Strike lines 13-16, and substitute the following:

"substantial inconvenience to the owner or a third person; or

(3) he intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings, other than graffiti, on the tangible property of the owner."

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Shields offered the following amendment to **CSHB 260**:

Amend **CSHB 260** by inserting the following subsections on page 3, between lines 3 and 4 to read as follows:

(f) A court that orders an adult or child placed on probation, deferred adjudication, or deferred prosecution under Section 53.03, Family Code, for an offense committed under this section or for engaging in behavior that violates this section may as part of that order, require the adult or child to:

(1) attend a class with instruction in self-responsibility and empathy for a victim of an offense conducted by a local adult or juvenile probation department, if the class is available;

(2) restore the property damaged by the adult or child by removing or painting over any markings made by the adult or child, if the owner of the property consents to the restoration; and

(3) perform at least five hours of community service cleaning up graffiti or, if that service is not available, voluntary performance of another service as directed by the court.

(g) A probation officer or other designated officer of the court shall monitor the adult's or child's restoration of the property under Subsection (f)(2).

Representative Goodman moved to table Amendment No. 2.

The motion to table prevailed.

Amendment No. 3

Representative G. Lewis offered the following amendment to **CSHB 260**:

Amend **CSHB 260** by adding appropriately numbered SECTIONS to read as follows and by renumbering existing SECTIONS accordingly:

SECTION ____ Section 54.042, Family Code, is amended to read as follows:

Sec. 54.042. LICENSE SUSPENSION. (a) A juvenile court, in a disposition hearing under Section 54.04 [~~of this code~~], may [~~shall~~]:

(1) order the Department of Public Safety to suspend a child's driver's license or permit, or if the child does not have a license or permit, to deny the issuance of a license or permit to the child if the court finds that the child has engaged in conduct that violates a law of this state enumerated in Section 521.342(a), Transportation Code [24(a-1), Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes)]; or

(2) notify the Department of Public Safety of the adjudication, if the court finds that the child has engaged in conduct that violates a law of this state enumerated in Section 521.372(a), Transportation Code [24B(b), Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes)].

(b) A juvenile court, in a disposition hearing under Section 54.04, may order the Department of Public Safety to suspend a child's driver's license or permit, or if the child does not have a license or permit to deny the issuance of a license or permit to the child, if the court finds that the child has engaged in conduct that violates Section 28.08, Penal Code.

(c) The order under Subsection (a)(1) ~~[of this section]~~ shall specify a period of suspension or denial that is until the child reaches the age of 19 or for a period of 365 days, whichever is longer.

(d) ~~[(c)]~~ The order under Subsection (b) shall specify a period of suspension or denial that is:

(1) for a period not to exceed 365 days; or

(2) if the court finds the child has been previously adjudicated as having engaged in conduct violating Section 28.08, Penal Code, until the child reaches the age of 19 or for a period not to exceed 365 days, whichever is longer.

(e) A child whose driver's license or permit has been suspended or denied pursuant to this section may, if the child is otherwise eligible for, and fulfills the requirements for issuance of, a provisional driver's license or permit under Chapter 521, Transportation Code [Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes)], apply for and receive an occupational license in accordance with the provisions of Subchapter L of that chapter [Section 23A, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes)].

(f) ~~[(d)]~~ A juvenile court, in a disposition hearing under Section 54.04 ~~[of this code]~~, may order the Department of Public Safety to suspend a child's driver's license or permit or, if the child does not have a license or permit, to deny the issuance of a license or permit to the child for a period not to exceed 12 months if the court finds that the child has engaged in conduct in need of supervision or delinquent conduct other than the conduct described by Subsection (a) ~~[of this section]~~.

(g) ~~[(e)]~~ A juvenile court that places a child on probation under Section 54.04 ~~[of this code]~~ may require as a reasonable condition of the probation that if the child violates the probation, the court may order the Department of Public Safety to suspend the child's driver's license or permit or, if the child does not have a license or permit, to deny the issuance of a license or permit to the child for a period not to exceed 12 months. The court may make this order if a child

that is on probation under this condition violates the probation. A suspension under this subsection is cumulative of any other suspension under this section.

SECTION __. Subchapter N, Chapter 521, Transportation Code, is amended by adding Section 521.314 to read as follows:

Sec. 521.314. SUSPENSION FOR GRAFFITI OFFENSE; LICENSE DENIAL. (a) A court may order the Department of Public Safety to suspend a person's driver's license, or if the person does not have a license to deny the issuance of a license to the person, if the person is convicted of an offense under Section 28.08, Penal Code.

(b) The order under Subsection (a) shall specify a period of suspension or denial that is for a period that does not exceed one year.

(c) The department may not reinstate a driver's license ordered suspended under this section unless the person whose license was suspended applies to the department for reinstatement.

(d) A person whose license is ordered suspended under this section remains eligible to receive an occupational license under Subchapter L, Chapter 521.

(e) For the purposes of this section, a person is convicted of an offense regardless of whether sentence is imposed or the person is placed on community supervision for the offense under Article 42.12, Code of Criminal Procedure.

SECTION __. (a) Section 54.042, Family Code, as amended by Section __ of this Act, and Section 521.314, Transportation Code, as added by Section __ of this Act, apply only to an offense committed, or for the purposes of the Family Code to conduct violating a penal law of this state occurring, on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date and conduct violating a penal law of this state occurs before the effective date of this Act if any element of the violation occurs before that date.

(b) An offense committed before the effective date of this Act or conduct occurring before the effective date of this Act is covered by the law in effect when the offense was committed or the conduct occurred, as appropriate, and the former law is continued in effect for that purpose.

Representative Goodman moved to table Amendment No. 3.

The motion to table prevailed.

CSHB 260, as amended, was passed to engrossment.

RESOLUTIONS CALENDAR

The speaker laid before the house the following resolution on committee report:

HR 43 (by Goolsby), Granting the San Jacinto Girl Scout Council permission to use the House chamber on June 9, 1997.

HR 43 was adopted without objection.

HB 1 - MOTION TO NOT PRINT

Representative Junell moved to suspend House Rule 12, Section 1(a)(2) and

House Rule 13, Section 5(a), so that the senate amendments to **HB 1** (the general appropriations bill) not be printed.

The motion prevailed without objection.

RULES SUSPENDED

Representative Junell moved to suspend the 5-day posting rule to allow the Committee on Appropriations to consider **SB 1706** and **SB 1898**.

The motion prevailed without objection.

Representative Sadler moved to suspend the 5-day posting rule and all necessary rules to allow the Committee on Public Education to meet one hour after adjournment to consider **HB 318**, **HB 926**, **HB 2839**, and **HB 2963**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Economic Development, on adjournment today.

Rules and Resolutions, on adjournment today, Desk 133.

Select Committee on Revenue and Public Education Funding, will not meet today, but will meet one hour after adjournment Wednesday, April 2.

Licensing and Administrative Procedures, one hour after adjournment today, E1.014, Capitol Extension, to consider all bills previously posted for hearing in Room 101, Reagan Building: **HB 325**, **HB 1135**, **HB 1321**, **HB 1465**, **HB 1496**, **HB 1621**, and **HB 2770**.

State Affairs, on adjournment today, E1.004, Capitol Extension.

ADJOURNMENT

Representative Stiles moved that the house adjourn until 10 a.m. tomorrow in memory of Elbert Hill of Liberty.

The motion prevailed without objection.

The house accordingly, at 1:40 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 3548 (by Walker), Relating to the board of directors of the Sandy Land Underground Water Conservation District.

To Natural Resources.

HB 3549 (by R. Lewis), Relating to the creation, administration, powers, duties, functions, operations, and financing of the South Newton Special Utility District.

To Natural Resources.

HCR 177 (by Hill), Honoring the Texas PTA.

To Rules & Resolutions.

HCR 178 (by West), In memory of Ryan Freeman.

To Rules & Resolutions.

HCR 179 (by Kuempel), Commending the Natural Resources Foundation of Texas.

To Rules & Resolutions.

HCR 180 (by Kuempel), Designating the first week of April 1997 as Texas Natural Resources Week.

To Rules & Resolutions.

HR 489 (by Solis and Flores), Congratulating Bruce Flagg on his graduation from Texas State Technical College in Harlingen.

To Rules & Resolutions.

HR 491 (by Greenberg), In memory of Shirley Wood McPhail.

To Rules & Resolutions.

HR 492 (by Oakley), In memory of Benito Carmona, Sr.

To Rules & Resolutions.

HR 493 (by Serna), Honoring Ruben Ramos for his contributions to Tejano music.

To Rules & Resolutions.

HR 494 (by Wilson), Honoring Felicia Moon.

To Rules & Resolutions.

HR 496 (by Kubiak), Congratulating E. L. "Doc" Farrell and Jolene Farrell on their 50th wedding anniversary.

To Rules & Resolutions.

HR 498 (by Junell), Congratulating Glen Evelyn Hallmark Dunn on the occasion of her 80th birthday.

To Rules & Resolutions.

HR 500 (by Laney), Congratulating the Whiteface High School Lady Lopes on winning the Class 1A State Basketball Championship.

To Rules & Resolutions.

HR 501 (by Laney), Congratulating the Nazareth High School Swifts boys' basketball team.

To Rules & Resolutions.

HR 502 (by Laney), Congratulating the Tulia High School Hornets on their outstanding season.

To Rules & Resolutions.

HR 504 (by Counts), Congratulating Lacy Headrick on his 90th birthday.
To Rules & Resolutions.

SB 247 to Public Education.

SB 332 to Licensing & Administrative Procedures.

SB 349 to Juvenile Justice & Family Issues.

SB 721 to Urban Affairs.

SB 798 to Juvenile Justice & Family Issues.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 26

HCR 4, HCR 6, HCR 7, HCR 22, HCR 70, HCR 71, HCR 72, HCR 78, HCR 98, HCR 152, HCR 174

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, April 1, 1997

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 129 Nixon, Drew
Relating to the appearance of an attorney in a court of this state.

SB 206 Madla
Relating to licensing requirements for certain insurance agents.

SB 461 Moncrief
Relating to the authority of the comptroller of public accounts to contract for certain tax collection and tax audit services.

SB 614 Zaffirini
Relating to assignment of Medicaid payments.

SB 802 Zaffirini
Relating to collection of certain information from certain hospitals.

SB 935 Madla

Relating to the financing of community venues and related infrastructure in certain municipalities or counties; authorizing the imposition of certain local taxes and the issuance of local bonds; providing penalties.

SB 944 Whitmire

Relating to the financing of venues for tourism, sports, arts, and entertainment and related to infrastructure; authorizing the imposition of certain local taxes and the issuance of local bonds; providing civil penalties.

SCR 59 Patterson, Jerry

Recognizing March 26, 1997, as Texas Women Veterans Day.

Respectfully,

Betty King
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, April 1, 1997 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

LOCAL AND UNCONTESTED CALENDAR**SB 201** Harris

Relating to the disposition of freshwater trout stamp fees.

SB 299 Ratliff

Relating to the date for a hearing on an application for a protective order.

SB 324 Armbrister

Relating to application of the professional prosecutors law to the district attorney of the 24th Judicial District.

SB 327 Galloway, Michael

Relating to the regular meetings of the board of port commissioners of the Port of Port Arthur Navigation District of Jefferson County, Texas.

SB 345 Harris

Relating to suits and investigations concerning the parent-child relationship that involve children born addicted to certain substances.

SB 443 Moncrief

Relating to a right to petition a court for an order to seal or destroy records related to certain admissions to a mental health facility; providing a criminal penalty.

SB 454 Duncan

Relating to the definition of a record for records management and archival purposes.

SB 506 Harris

Relating to the administration of decedents' estates.

SB 509 Madla

Relating to an administrative fee under an election services contract.

SB 526 Patterson, Jerry

Relating to the making of a change to an accident report.

SB 566 Truan

Relating to requiring the Texas Department of Transportation to conduct a study on the highway transportation needs of the state because of increased international trade under the North American Free Trade Agreement.

SB 568 Truan

Relating to contracts for deed in certain counties.

SB 569 Truan

Relating to subdivision platting requirements in certain counties.

SB 570 Truan

Relating to the regulation of subdivisions in certain economically distressed counties; providing civil and criminal penalties.

SB 600 Harris

Relating to the collection and use of certain information by cancer registries.

SB 693 Brown

Relating to standing to enforce restrictions relating to state property.

SB 711 Harris

Relating to the creation of municipal courts of record in Dalworthington Gardens.

SB 712 Harris

Relating to certain duties regarding family law proceedings by clerks of the court and certain law enforcement officers and parties to the suit.

SB 754 Harris

Relating to the statute of limitations applying to a lien on real property.

SB 757 Wentworth

Relating to water quality protection zones.

SB 799 Harris

Relating to jury submissions in a suit affecting the parent-child relationship.

SB 800 Harris

Relating to an appeal of a decision made by certain county civil service commissions.

SB 843 Truan

Relating to requiring the Texas Natural Resource Conservation Commission to study a tracking system for hazardous waste required to be returned to the United States under the La Paz Agreement.

SB 884 Harris

Relating to rules of statutory construction.

SB 902 Gallegos

Relating to the removal of personal property from the right-of-way or roadway of the state highway system.

SCR 32 Haywood

Extending the term of the Red River Boundary Commission to June 30, 2000.

SCR 35 Truan

Directing the Texas Natural Resource Conservation Commission et al. to work with Congress and federal agencies to develop a comprehensive management plan for the Rio Grande Basin.

Respectfully,

Betty King
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, April 1, 1997 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 1 Junell SPONSOR: Ratliff
General Appropriations Bill.
(COMMITTEE SUBSTITUTE)

HCR 134 Carter SPONSOR: Moncrief
Recognizing March 11, 1997, as the official public opening of the Lone Star Dinosaurs in the Lone Star State and honoring the Fort Worth Museum of Science and History.

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 26

Civil Practices - **HB 601, HB 984**

Energy Resources - **SB 634**

Human Services - **HB 413**

Judicial Affairs - **HB 614, HB 1126, HB 1316, HB 1710, HB 1880, SB 504**

Land & Resource Management - **SB 209**

Licensing & Administrative Procedures - **HB 814**

Natural Resources - **HB 376, HR 342**

Pensions & Investments - **HB 209, HB 239, HB 796, HB 1780, HB 2259, HB 3134, HB 3170**

State Affairs - **HB 1208, SB 308**

State Recreational Resources - **HB 1955, SB 326**

Transportation - **HB 691, HB 1524, HB 1595, HB 1790**

Ways & Means - **HB 2116, HB 2201**

March 27

Agriculture & Livestock - **HB 2499, HB 2602**

Civil Practices - **HB 494**

County Affairs - **HB 404, HB 2071, HB 2083, HB 2277, HB 2920, HB 3266, HJR 83**

Criminal Jurisprudence - **HB 195**

Economic Development - **HB 1761, HB 1836, HB 2252**

Energy Resources - **HB 1743, HB 1999**

Environmental Regulation - **HB 956**

House Administration - **HB 1107, HR 339**

Insurance - **HB 219**

Juvenile Justice & Family Issues - **HB 1545, SB 334, SB 435**

Public Health - **HB 1511, HB 2344**

Public Safety - **HB 1049, HB 1255, HB 1664**

Urban Affairs - **HB 730, HB 802, HB 1053, HB 2056, HB 2141, HB 2692**

March 28

Licensing & Administrative Procedures - **HB 743, HB 1703, HB 1899, SB 221**

March 31

Corrections - **HB 2918**

County Affairs - **HB 236, HB 3456, HB 3457**

Criminal Jurisprudence - **SB 182**

Environmental Regulation - **HB 1228, HB 1759**

Higher Education - **HB 63, HB 762, HB 854, HB 858, HB 1460, HB 1795, HB 1820, HB 2053, HB 2061, HB 2159, HB 2214, HB 2267, HB 2394, SB 474, SB 537**

Juvenile Justice & Family Issues - **HB 1091, HB 1826**

Land & Resource Management - **HB 2865**

Public Health - **HB 120, HB 1634, HB 1719, HB 1724, HB 2311, HB 3315**

Public Safety - **HB 2295**

ENGROSSED

March 26 - **HB 51, HB 138, HB 156, HB 220, HB 344, HB 449, HB 646, HB 670, HB 1050, HB 1150, HB 1266, HB 1422**

March 27 - **HB 438**

ENROLLED

March 26 - **HCR 4, HCR 6, HCR 7, HCR 22, HCR 70, HCR 71, HCR 152, HCR 173**

March 31 - **HCR 72, HCR 78, HCR 98, HCR 174**

SENT TO THE GOVERNOR

March 26 - **HCR 173**

RECOMMENDATIONS FILED WITH THE SPEAKER

March 27 - **HB 2300, HB 2327, HB 2731, HB 3146**

SIGNED BY THE GOVERNOR

March 26 - **HCR 76, HCR 153, HCR 157, HCR 158, HCR 173**